

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**MARTHA GIFFORD,**

**Plaintiff,**

**v.**

**Case No. 2:06-CV-023  
JUDGE EDMUND A. SARGUS, JR.  
Magistrate Judge Mark R. Abel**

**COMMISSIONER OF SOCIAL  
SECURITY,**

**Defendant.**

**ORDER**


This matter is before the Court on the motion of Plaintiff's counsel for attorney fees under §206(b)(1) of the Social Security Act, 42 U.S.C. §406(b)(1). (Doc. 24). Plaintiff and her attorney agreed upon a contingent-fee representation agreement, the terms of which provided that the fee for representation would be 25% of past-due benefits awarded, as authorized by Section 206(b)(1). Defendant, the Commissioner of Social Security has not objected to counsel's motion for a fee award.

The Court finds, upon review of the Social Security Administration's findings and the reasonableness of counsel's fees, as supported by the itemization of time provided, that attorney fees in the amount of \$14,525.00 are properly awarded.

Petitioner Karl E. Osterhout, Esq.'s Motion for Attorney Fee (Doc. 24) is hereby GRANTED. Plaintiff's Motion to Alter Judgment (Doc. 22), seeking reconsideration of the Court's Order denying fees under the Equal Access to Justice Act, is hereby DENIED. Plaintiff's Unopposed Motion to Expedited Pending Fee Motions (Doc. 28) is MOOT.

**IT IS SO ORDERED.**

1-8-2009  
**DATE**

  
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**EDMUND A. SARGUS, JR.**  
**UNITED STATES DISTRICT JUDGE**